

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 14th DAY OF JUNE 2004, AT 7:15 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	James D. Politis	-Chair
	Annette S. Perkins	-Vice Chair
	Mary W. Biggs	-Supervisors
	Gary D. Creed	
	Doug Marrs	
	John A. Muffo	
	Steve L. Spradlin	
	B. Clayton Goodman, III	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	T.C. Powers	-Planning Director
	Angie Hill	-Financial Management Services Director
	Robert C. Parker	-Public Information Officer
	Steve Sandy	-Zoning Administrator
	Vickie L. Swinney	-Secretary

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The Chair called the meeting to order and the Pledge of Allegiance was recited.

MOMENT OF SILENCE TO HONOR PRESIDENT RONALD REAGAN

The Chair asked for a moment of silence to honor President Ronald Reagan.

PUBLIC ADDRESS SESSION

Robert Young addressed the Board concerning the proposed creation of a Towing Advisory Board. Mr.

Young believes the setting of prices for towing will affect the service. The cost of towing and clean up of an accident is expensive. He reported that Virginia Tech is in the process of conducting a cost analysis for towing in the area, which is due to be completed in August 2004. Mr. Young requested the Board defer making a decision on creating a Towing Advisory Board until this report has been completed and can be reviewed.

Barry Harmon addressed the Board concerning the proposed creation of a Towing Advisory Board. Mr. Harmon asked that the Board get input from the towing business in the County first and wait until the report by Virginia Tech is completed before they make a decision.

Walter Hinkley expressed concerns with the proposed creation of a Towing Advisory Board. The main concern is safety. The quicker an accident is cleaned up, the quicker the traffic gets flowing. Mr. Hinkley believes there are many factors to consider when setting towing rates. He urged the Board to consider the recommendations of the towing companies before creating an advisory board.

Don Riley, Virginia Tech Marketing Department, Pamplin College of Business, was requested by towing companies in the New River Valley to assist them by researching the aspect of a towing business. The scope of work will consist of conducting research, analyzing data, and the cost of towing and recovery. The model will consist of small, medium and large towing companies. The sole purpose of the research is to identify and substantiate the cost involved in performing the services of vehicle and recovery. Mr. Riley requested the Board to allow this report to come before them before considering establishing an advisory board.

David Wilmson, an attorney representing the towing companies, addressed the Board concerning the proposed establishment of a Towing Advisory Board. Mr. Wilmson urged the Board to wait until the report by Mr. Riley is finished before making a decision. If the Board decides to proceed, he requested they seek professional recommendations regarding the towing business.

Ann Hess, Social Services Board Chair, spoke in support of the resolution before the Board tonight approving a 3% increase for the Department of Social Services employees for five months until the state raise becomes effective December 1, 2004. Ms. Hess also stated that it is the Social Services Board's intent to join the County's Compensation and Classification Plan, but wish to remain an administrative board.

Kenneth Shrewsberry addressed the Board about problems with stray animals at the Oak Forest Mobile Home Park. Mr. Shrewsberry stated there are numerous stray cats, which are becoming a problem. He reported this to the Park manager who referred him to Animal Control, who in turn, referred him back to the Park manager.

Sheriff Tommy Whitt expressed his appreciation to the Board of Supervisors for their support in the Law Enforcement Special Olympic Torch Run. \$10,000 was raised for the Special Olympics. Sheriff Whitt

also addressed the Board concerning the establishment of a Towing Advisory Board. He requested this item be tabled in order to gather more information and to receive the report on the study being conducted by Virginia Tech.

There being no further speakers, the public address session was closed.

CONSENT AGENDA

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously, the Consent Agenda dated June 14, 2004 was approved.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Doug Marrs	
Steve L. Spradlin	
Annette S. Perkins	
Gary D. Creed	
John A. Muffo	
James D. Politis	

Approval Of Minutes

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously, the minutes dated May 18 and May 24, 2004 were approved.

Comprehensive Services Act - Supplemental Appropriation

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2004, for the function and in the amount as follows:

510	Comprehensive Services Act	\$766,343
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The sources of the funds for the foregoing appropriation are as follows:

Revenue Account

02510-424445 Comprehensive Services Act	\$549,161
02-451203 Undesignated Fund Balance	<u>\$217,182</u>
	\$766,343

Said resolution appropriates a supplemental allocation from the state for the Comprehensive Services Act and appropriates the local match.

Parks And Recreation – Appropriation

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2004, for the function and in the amount as follows:

700	Parks and Recreation	\$ 1,000
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

416158	Donations	\$1,000
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Said resolution appropriates funds donated to Parks and Recreation for pool equipment.

Treasurer's Collections Office

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2004 for the function and in the amount as follows:

162	Treasurer's Collections	\$3,893
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

411604	DMV Stop Administrative Fee	\$3,893
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Said resolution appropriates monies received from taxpayers for Department of Motor Vehicles service charges for stops on license issuance.

Virginia Juvenile Community Crime Control Act

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2004, for the function and in the amount as follows:

520	Human Services	\$9,204
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The source of funds for the foregoing appropriation is as follows:

Revenue Account

416156	Floyd Contribution	\$ 9,204
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Said resolution appropriates Montgomery County's allocations received from Floyd County's Juvenile Community Crime Control Act fund.

School Nutrition Fund And School Operating Fund - Supplemental Appropriation

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the School Operating and School Cafeteria Funds were granted appropriations in addition to the annual appropriation for the fiscal year ending June 30, 2004, for the function and in the amount as follows:

09	School Operating Fund	
	561000 Instruction	\$509,355
11	School Cafeteria Fund	
	565100 Cafeteria Expenses	325,000

The sources of funds for the foregoing appropriation are as follows:

Revenue Account:

09 433226	Title II	\$420,384
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09 433233	Comprehensive School Reform Demonstration	<u>88,971</u>
	Total	\$509,355
11 451203	School Cafeteria Fund Balance	\$325,000

Said resolution appropriates additional funds for the School Operating and School Cafeteria Funds.

Vacation Of Lots - Easement Vacation For Lots 20 And 21 In Country Meadow Estates Subdivision

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

WHEREAS, The Plat Showing Vacation of 15' Utility & Drainage Easement and Drainfield Easement on Lot 20 for Benefit of Lot 21 Country Meadow Estates requests the vacation of a 15' public utility and drainage easement on behalf of the landowners, Kenneth and Karen Jones; and

WHEREAS, Section 15.2-2270 of the Code of Virginia, as amended, permits the Board of Supervisors to vacate public utility and drainage easements upon request of the landowners involved.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia does hereby approve the Plat Showing Vacation of 15' Utility & Drainage Easement and Drainfield Easement on Lot 20 for Benefit of Lot 21 Country Meadow Estates (Highland Surveys PC Plan No. S-7857 dated 11 May) for Tax Parcels Nos. 118-1-20 and 118-1-21 in the Riner Magisterial District.

FURTHER, The Subdivision Agent is hereby authorized to sign said plat for recordation.

Appointments - New River Community Action Board

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **Lori Walden** to the **New River Community Action Board** effective July 1, 2004 and expiring June 30, 2006.

BE IT FURTHER RESOLVED, That employees appointed to boards/commissions/authorities as a representative for Montgomery County, such appointment is contingent upon their continued employment with the County and that any such termination or resignation from employment would also constitute a voluntary resignation from such board/commission/authority.

OLD BUSINESS

Special Use Permit - Blue Ridge Christian Camp (Agent: Bradford Stipes, PE; Anderson and Associates, Inc.)

On a motion by Doug Marrs, seconded by Steve L. Spradlin and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Blue Ridge Christian Camp (Agent: Bradford Stipes, PE; Anderson & Assoc., Inc.) request for an amendment to a Special Use Permit approved July 28, 1986 to operate a church-oriented campground on 47 acres in Agriculture (A-1) to allow new dining, residential and indoor activity improvements is hereby approved subject to the following conditions:

1. This Special Use Permit amends previous Special Use Permit dated July 28, 1986.
2. The camp shall be developed in substantial conformance with the concept master plan entitled, “Blue Ridge Christian Camp Concept Development Plan”, prepared by Anderson and Associates, Inc. and dated April 1, 2004.
3. The owner shall provide a 30’ wide screening and landscaping barrier along the north and west property lines in the vicinity of the proposed dining and indoor activity area.
4. The owner shall construct the proposed dining and indoor activity facility and residential cabins in general agreement with architectural sketches project #03126 dated February 9, 2004.
5. The owner shall pave the entrance to the site off of Sterling Drive according to VDOT standards prior to the completion of any new structures.

The property is located at 1755 Sterling Drive and is identified as Tax Parcel Nos. 49-9-101, 102 (Acct ID # 070519, 071149) and 49-A-16E (Account ID # 071186) in the Prices Fork Magisterial District. The property currently lies in an area designated as a Rural Area in the Comprehensive Plan.

The vote on the foregoing resolution was as follows:

AYE

Doug Marrs

Annette S. Perkins

Gary D. Creed

John A. Muffo

Mary W. Biggs

Steve L. Spradlin

James D. Politis

NAY

None

Special Use Permit - Harvey L. Morris and Susan R. Cochran

On a motion by Mary W. Biggs, seconded by Steve L. Spradlin and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Harvey L. Morris and Susan R. Cochran request for a Special Use Permit on a 6.56 acre tract in Agriculture (A-1) to allow a landscaping contractor's storage yard is hereby approved subject to the following conditions:

1. Special Use Permit authorizes use of property for landscaping contractor's storage yard and residential use only.
2. Accessory building(s) devoted to landscaping business shall not exceed 1,500 SF total in area. Outside parking and storage areas shall not exceed 14,000 SF in area.
3. A landscaped berm of at least 36 inches in height shall be constructed between the parking and storage areas and the private drive for the entire length of the parking and storage area. This berm shall be landscaped with a variety of evergreen species to provide a buffer from adjoining property owners and traffic on the private drive. A landscaping plan for the berm shall be submitted to the zoning administrator for approval within thirty (30) days of approval of the special use permit. Completion of berm and landscaping shall be completed by August 15, 2004.
4. Non-family employees shall be limited to four (4) full-time and eight (8) part-time. Property shall contain no more than five (5) employee vehicles and ten (10) pieces of landscaping equipment at any time. All shall be kept in designated parking and storage areas.
5. Hours related to the business with the exception of seasonal snow removal shall be limited to 7:30

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a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 3:00 p.m. on Saturdays. No work or business related traffic shall occur beyond these hours or on Sundays.

6. The road width of Aurora Lane shall be graveled and widened to 18 feet and improved from the existing paved area to the private drive serving the storage yard as agreed upon by the homeowners with Mr. Morris paying a minimum of 50% of any installation costs. Improvements shall include grading, new gravel and addressing drainage issues. The private drive shall be graveled and widened to 16 feet from Aurora Lane and improved to address drainage issues with a minimum of 60% of improvement and maintenance costs being paid by Mr. Morris.

The property is located at 444 Aurora Lane and is identified as Tax Parcel No. 67-A-200L (Acct ID # 026692) in the Shawsville Magisterial District. The property currently lies in an area designated as Urban Expansion in the Comprehensive Plan.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Annette S. Perkins	None
Gary D. Creed	
John A. Muffo	
Mary W. Bigs	
Steve L. Spradlin	
Doug Marrs	
James D. Politis	

REZONING REQUEST – FRANK & RUTH CUPP

On a motion by Steve L. Spradlin, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby accepts Frank & Ruth Cupp's request by letter dated June 14, 2004 to amend their rezoning application from a request for Residential Multiple –Family (RM-1) zoning to a request for Residential (R-3) zoning for property located at 1138 and 1140 Huff Lane.

BE IT FURHTER RESOLVED, That the amended rezoning request is conditional upon the amended rezoning request of R-3 being sent to the Planning Commission for a new public hearing and recommendation.

BE IT FURTHER RESOLVED, The Board of Supervisors shall also conduct a public hearing on the R-3 request once it receives the Planning Commissions' recommendation.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Gary D. Creed	None
John A. Muffo	
Mary W. Biggs	
Doug Marrs	
Annette S. Perkins	
Steve L. Spradlin	
James D. Politis	

Ordinance Designating Aircraft as a Separate Classification for Taxation and Reducing the Personal Property Tax on Aircraft

On a motion by Annette S. Perkins, seconded by John A. Muffo,

**2004-09
An Ordinance Designating Aircraft
As a Separate Classification for
Local Taxation Separate from Other Classifications of
Tangible Personal Property in Montgomery County, Virginia,
And Reducing the Personal Property Tax Rate
on Aircraft from \$2.45 per \$100 of Assessed Value
to \$1.23 per \$100 of Assessed Value.**

BE IT ORDAINED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby designates Aircraft as a separate classification for local taxation purposes, separate from other classifications of tangible personal property in Montgomery County, Virginia.

BE IT FURTHER ORDAINED, The Board of Supervisors hereby establishes a personal property tax rate on Aircraft at \$1.23 per \$100 of assessed value.

This rate on Aircraft shall take effect immediately.

The vote on the proposed ordinance was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Annette S. Perkins	
Steve L. Spradlin	
Gary D. Creed	
Doug Marrs	
John A. Muffo	
James D. Politis	

NEW BUSINESS

Establishing A Towing Advisory Board - Tabled

On a motion by Mary W. Biggs, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia, hereby **TABLES** establishing a Towing Advisory Board to their July 12, 2004 meeting in order to receive additional information.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Doug Marrs	None
Steve L. Spradlin	
Gary D. Creed	
John A. Muffo	
Mary W. Biggs	
Annette S. Perkins	
James D. Politis	

Agreement For Utilization of Metropolitan Planning Organization Funds - Tabled

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia

authorization to enter into an agreement for the utilization of Metropolitan Planning Organization funds is hereby **TABLED** to the Board's June 28, 2004 meeting pending additional information.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Doug Marrs	None
Steve L. Spradlin	
Gary D. Creed	
John A. Muffo	
Mary W. Biggs	
Annette S. Perkins	
James D. Politis	

FISCAL YEAR 2004-2005 BUDGET APPROPRIATION

On a motion by Mary W. Biggs, seconded by John A. Muffo and carried,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the following appropriation for the fiscal year ending June 30, 2005 be and the same is hereby made effective July 1, 2004 for the organizations indicated on the attached listing.

BE IT FURTHER RESOLVED, The Treasurer is hereby authorized to make the necessary transfers between funds as required to keep expenditure account appropriated by the Board of Supervisors and revenue estimates approved by the Board of Supervisors in balance by Fund.

BE IT FURTHER RESOLVED, The Treasurer is hereby authorized to make the necessary wire transfer, as appropriate.

EXPENDITURE ACCOUNTS TO BE APPROPRIATED

1. GENERAL FUND

100	Board of Supervisors	\$	177,191
110	County Administration		922,460
120	County Attorney		202,429
130	Financial and Management Services		679,558
132	Insurance		146,884
140	Information Management Services		838,020

150	Commissioner of Revenue	475,532
152	Assessment - 100% County	373,260
160	Treasurer	450,709
162	Collections - 100% County	432,570
170	Registrar	258,598
180	Internal Services	290,378
200	Commonwealth Attorney	559,122
210	Circuit Court	137,873
220	General District Court	21,866
230	Juvenile and Domestic Relations Court	11,637
240	Magistrate	5,971
250	Circuit Court Clerk - 100% County	478,049
310	Sheriff-Co/State Support	5,647,505
320	Sheriff-County Support	1,056,082
330	Fire and Rescue	608,800
400	General Services	3,481,146
510	Comprehensive Services Act	1,283,080
520	Human Services	361,456
530	Public Health	348,817
540	Social Services	4,548,790
700	Parks and Recreation	609,457
710	Regional Library	1,610,454
800	Planning and Inspections	734,375
810	Economic Development	497,863
900	Revenue Refunds	164,106
910	Other Agencies	929,626
920	General Government Debt Service	3,545,065
950	Contingencies - General	278,245
960	Contingencies - Special	687,625
990	Adjustments for Internal Services	<u>(64,059)</u>
	TOTAL GENERAL FUND	\$ \$32,790,540

2. LAW LIBRARY FUND

290	Law Library	\$ 17,600
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3. 600 SCHOOL OPERATING FUND

610	Instruction	59,097,207
620	Administration, Attendance, and Health	2,646,683
630	Pupil Transportation	3,269,349
640	Operations and Maintenance	10,038,217
650	Other Non-Instructional Operations	48,496
700	Debt Service	<u>7,319,232</u>

TOTAL SCHOOL OPERATING FUND	\$ 82,419,184
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5. 651 SCHOOL CAFETERIA FUND	\$ <u>3,031,380</u>
TOTAL SCHOOL SPECIAL FUNDS	\$ 3,031,380

GRAND TOTAL EXPENDITURES	\$ 118,258,704
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The source of funds for the foregoing appropriation is as follows:

ESTIMATED RESOURCES

1. GENERAL FUND

A. REVENUE	
General Property Taxes	\$ 45,832,990
Other Local Taxes	9,210,573
Other Undesignated Revenue	1,600,218
Resources Designated by Department	12,914,256
Subtotal	\$ 69,558,037

B. OTHER	
Use of Fund Balance	190,852
Transfers to School Operating Fund:	(36,958,349)
Subtotal	\$ (36,767,497)

TOTAL GENERAL FUND RESOURCES:	\$ 32,790,540
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2. LAW LIBRARY FUND

A. REVENUE	\$ 15,000
B. USE OF FUND BALANCE	<u>2,600</u>

TOTAL LAW LIBRARY FUND RESOURCES	\$ 17,600
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3. SCHOOL OPERATING FUND

A. REVENUE	\$ 45,460,835
B. TRANSFER FROM GENERAL FUND	<u>36,958,349</u>

TOTAL SCHOOL OPERATING FUND	\$ 82,419,184
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4. SCHOOL CAFETERIA FUND RESOURCES

\$ 3,031,380

GRAND TOTAL ALL RESOURCES**\$ 118,258,704**

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Gary D. Creed	Steve L. Spradlin
John A. Muffo	
Annette S. Perkins	
Mary W. Biggs	
Doug Marrs	
James D. Politis	

Supervisor Perkins stated for the record that her vote is not a conflict of interest by her being employed by the Montgomery County School Board as it is a vote to adopt the entire budget and it is a budget for the entire County.

Supervisors Biggs stated for the record that her vote is not a conflict of interest by her being employed by the Montgomery County School Board. She does not control how the School Board prepares nor allocates funding for the Schools.

Supervisor Muffo stated for the record that his wife would be on leave of absence from the Montgomery County School Board starting July 1, 2004, therefore his vote does not constitute a conflict of interest.

FY 05 HEALTH AND DENTAL INSURANCE RATES

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia, hereby adopts the following Health and Dental Insurance rate structure for FY04-05 through the New River Valley Benefits Consortium and with Southern Health and Aetna as insurance carriers:

	<u>Rate</u>	<u>County</u>	<u>Employee</u>
<u>POS</u>			
Single	\$389	\$389	-0-
Children	\$544	\$420	\$124
Spouse	\$801	\$471.40	\$329.60
Family	\$947	\$500.60	\$446.40
 <u>PPO300</u>			
Single	\$369	\$389	-0-

Children	\$517	\$414.60	\$102.40
Spouse	\$761	\$463.40	\$297.60
Family	\$900	\$491.20	\$408.80

PPO1000

Single	\$317	\$389	-0-
Children	\$443	\$399.80	\$43.20
Spouse	\$653	\$441.80	\$211.20
Family	\$771	\$465.40	\$305.60

Dental B Low

Single	\$22	\$31	-0-
Children	\$36	\$32	\$4
Spouse	\$36	\$32	\$4
Family	\$66	\$38	\$28

Dental B High

Single	\$31	\$31	-0-
Children	\$59	\$36.60	\$22.40
Spouse	\$54	\$35.60	\$18.40
Family	\$97	\$44.20	\$52.80

The vote on the foregoing resolution was as follows:

AYE

Gary D. Creed
John A. Muffo
Annette S. Perkins
Mary W. Biggs
Doug Marrs
Steve L. Spradlin
James D. Politis

NAY

None

BLACKSBURG VOLUNTEER RESCUE SQUAD - APPROPRIATION

On a motion by Mary W. Biggs, seconded by Steve L. Spradlin and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2004, for the function and in the amount as follows:

330	Blacksburg Volunteer Rescue Squad	\$24,000
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

419108	Recovered Costs	\$24,000
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Said resolution appropriates proceeds received from the sale of a Blacksburg Rescue Squad ambulance.

The vote on the foregoing resolution was as follows:

AYE

NAY

John A. Muffo None

Annette S. Perkins

Mary W. Biggs

Doug Marrs

Steve L. Spradlin

Gary D. Creed

James D. Politis

New River Valley Planning District Commission - Virginia Commission On Military Bases Grant

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer of appropriation is hereby authorized, as follows:

FROM:

950	General Contingencies	(\$3,800)
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TO:

910	Other Agencies - NRVPCD	\$3,800
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Said resolution transfers funds from General Contingencies to the New River Valley Planning District Commission for matching funds for the Virginia Commission on Military Bases Grant.

The vote on the foregoing resolution was as follows:

AYE

NAY

Annette S. Perkins None

Mary W. Biggs

Doug Marrs
Steve L. Spradlin
Gary D. Creed
John A. Muffo
James D. Politis

Metropolitan Planning Organization: Transfer From General Contingencies

On a motion by Steve L. Spradlin, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer of appropriation is hereby authorized, as follows:

FROM:

950	General Contingencies	(\$1,914)
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TO:

910	Metropolitan Planning Organization	\$1,914
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Said resolution transfers funds from General Contingencies to the Metropolitan Planning Organization for the County's share of local funding.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Doug Marrs	
Steve L. Spradlin	
Gary D. Creed	
John A. Muffo	
Annette S. Perkins	
James D. Politis	

Vehicle Replacement - Appropriation

On a motion by Annette S. Perkins, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30,

2005 for the function and in the amount as follows:

180	Internal Services	\$ 58,000
320	Sheriff's Office - County	<u>\$ 44,000</u>
	Total	\$102,000

The source of funds for the foregoing appropriation is as follows:

451203	Undesignated Fund Balance	\$102,000
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Said resolution appropriates fund balance monies to cover the estimated cost of a truck replacement for Animal Control, van replacement for the Retired Senior Volunteer Program, and vehicles for the Sheriff's Office.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Doug Marrs	None
Steve L. Spradlin	
Gary D. Creed	
John A. Muffo	
Annette S. Perkins	
Mary W. Biggs	
James D. Politis	

School Funds: Supplemental Appropriation

On a motion by Mary W. Biggs, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the School Operating Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2004, for the function and in the amount as follows:

09	School Operating Fund	
	561000 Instruction	\$ 91,150
	562000 Administrative	66,000
	563000 Transportation	522,000
	564000 Operations and Maintenance	<u>96,710</u>
	Total	\$775,860

The source of funds for the foregoing appropriation is as follows:

Revenue Account:

State Revenue

\$775,860

Said resolution appropriates additional funds from the state as a result of the final ADM increasing from 9141 to 9311.

The vote on the foregoing resolution was as follows:

AYE

Doug Marrs

Steve L. Spradlin

Gary D. Creed

John A. Muffo

Annette S. Perkins

Mary W. Biggs

James D. Politis

NAY

None

2005 Legislative Priorities – Tabled

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby **TABLES** the 2005 Legislative Priorities in order to schedule a work session at the June 28, 2004 meeting.

The vote on the foregoing motion was as follows:

AYE

Gary D. Creed

John A. Muffo

Annette S. Perkins

Mary W. Biggs

Doug Marrs

Steve L. Spradlin

NAY

None

Department Of Social Services-Additional Funds For Salary Compensation

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby authorizes the County dollars to support an across-the-board 3% raise in salary for Department of Social Services (DSS) employees from July 1, 2004 through November 30, 2004, recognizing that the State has authorized and budgeted for a 3% raise beginning December 1, 2004.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
John A. Muffo	None
Annette S. Perkins	
Mary W. Biggs	
Doug Marrs	
Gary D. Creed	
Steve L. Spradlin	
James D. Politis	

Resolution Of Appreciation - Governor Warner And State Legislators - State Budget – Tabled

On a motion by Annette S. Perkins, seconded by Steve L. Spradlin and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby tables the resolution of appreciation to Governor Mark Warner and our State Legislators until June 28, 2004 for further discussion.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Annette S. Perkins	None
Gary D. Creed	
Steve L. Spradlin	
Doug Marrs	

John A. Muffo
Mary W. Biggs
James D. Politis

INTO WORK SESSION

On a motion by Gary D. Creed, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. Presentation on the Revised Comprehensive Plan
2. Capital Improvement Program

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Gary D. Creed	None
Steve L. Spradlin	
Doug Marrs	
John A. Muffo	
Mary W. Biggs	
Annette S. Perkins	
James D. Politis	

OUT OF WORK SESSION

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Work Session to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Steve L. Spradlin	None
Gary D. Creed	

John A. Muffo
Annette S. Perkins
Mary W. Biggs
Doug Marrs
James D. Politis

COUNTY ADMINISTRATOR'S REPORT

Long Shop/McCoy Fire & Rescue Building A meeting is scheduled for June 15, 2004 with the Long Shop/McCoy Fire & Rescue Departments and the Golden Years Club to discuss the use of the new fire/rescue facility and the demolition of the existing building. The Golden Years Club as requested the existing building not be demolished.

Regional Jail Study A meeting is scheduled for June 21, 2004 in Roanoke County for interviews for possible candidates to perform the study on the regional jail.

Employee Recognition Dinner is scheduled for June 18, 2004.

Fairview District Home Board A long- term plan for the Fairview Home will be discussed at the next Fairview District Home Board meeting.

Economic Development Director will be out of the office temporarily due to problems with his back. He will be working from home. .

Request to Amend the Zoning Ordinance The County Administrator received a letter from Mr. Stehphen Rice requesting to amend the Zoning Ordinance. Mr. Rice holds an option to purchase a parcel of land, which was formerly a portion of the Meadowbrook Retirement Home. Mr. Rice's plans are to convert the buildings into townhome apartments and another building into general rental apartments. The property is located within the 100-year flood plain and under the existing Zoning Ordinance this property cannot be used for apartments. Mr. Rice has requested to speak before the Board of Supervisors at their June 28, 2004 meeting.

BOARD MEMBERS' REPORTS

Supervisor Biggs - Oak Forest Mobile Home Park – Supervisor Biggs asked what the County could do to address the citizen's concerns about problems with stray animals. She stated this is a problem county-wide and it needs to be addressed.

Resolution of Appreciation to the Governor and State Legislators – Supervisor Biggs noted that Supervisor Perkins would be absent at the next meeting. She suggested that she and Supervisor Creed meet to discuss the issue of sending a resolution of appreciation to the Governor and the state legislators regarding the state budget.

Supervisor Marrs County Budget – Supervisor Marrs suggested that staff create a budget process that would be easier to understand.

Special Olympics – Law Enforcement Torch Run – Supervisor Marrs expressed his appreciation for all Board members who participated in the torch run for the Special Olympics.

Supervisor Perkins Workforce Investment Act - Chief Local Elected Officials (CLEO) Supervisor Perkins attended a retreat for the Planning Committee under CLEO to discuss strategic planning. They are discussing using federal money to work with Economic Development to help establish the type of skills and education needed in the work-force.

Virginia Tech/Montgomery Regional Airport Authority – The Authority is updating its 5 year Capital Improvement Plan and also the Master Plan. Most of the improvements can be financed with federal money, 95% Federal, 3% State, and 2% Local. The 2% of the local cost contribution will be split between all members of the Authority. Supervisor Perkins will provide the County Administrator information regarding the CIP plan to forward to the Board.

Supervisor Spradlin Walton Road - Supervisor Spradlin reported there are several drop-offs along Walton Road. A gentleman driving a cattle truck almost lost his trailer several times due to the drop-offs. He requested this concern be forwarded to VDOT.

Supervisor Muffo expressed his appreciation to the Planning and Inspections staff that responded quickly to an emergency situation for a family whose house burned down.

Supervisor Creed Community Meeting in Long Shop/McCoy Supervisor Creed reported he reviewed the information provided from the community meeting in Long Shop/McCoy regarding the Sunnyside Green Box Site and the McCoy Consolidated Collection Site. He questioned the leasing of land from Virginia Tech for \$3,000 annually for the McCoy Consolidated Collection Site. He believes that since Virginia Tech is exempt from paying real estate tax on land they should not charge the County for use of their land for the collection site. He suggested the Board formally request Virginia Tech to reconsider charging the County for use of this property.

McCoy Consolidated Collection Site – Lease Agreement with Virginia Tech

On a motion by Gary D. Creed, seconded by Steve L. Spradlin and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby requests that Virginia Tech reconsider the annual lease payment from Montgomery County of \$3,000 for the consolidated collection site located on a portion of Kentwood Farm along McCoy Road (SR 652) between Long Shop and McCoy.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Mary W. Biggs	None	John A. Muffo
Annette S. Perkins		
Doug Marrs		
Steve L. Spradlin		
Gary D. Creed		
James D. Politis		

Supervisor Biggs suggested that the County reestablish its contact with Virginia Tech in order to discuss common issues. Supervisor Perkins requested this issue be added to the next County/Town Liaison agenda to discuss including Virginia Tech in the liaison meetings.

Supervisor Politis Rescue Services in the Riner Area Supervisor Politis reported that Kelly Walters, Christiansburg Rescue Squad, and Mike Moles, Riner Fire Department, are scheduled to meet to discuss the need for a rescue squad in the Riner area. A temporary solution is for Christiansburg Rescue Squad to house an ambulance at the Riner Fire Department.

Auburn Hills Supervisor Politis expressed concern with the lack of a speed limit being posted at the entrance into the Auburn Hills. He suggested VDOT conduct a speed study to determine if the speed should be lowered and signs posted.

SPEED STUDY REQUEST – TURNBERRY ROAD (SR 1097)

On a motion by Mary W. Biggs, seconded by John A. Muffo and carried unanimously,

WHEREAS, The Board of Supervisors has expressed concerns relative to conditions and safety on Turnberry Road (SR 1097) in Auburn Hills; and

WHEREAS, Vehicles travel at an excessive rate of speed in this area and this road is primarily residential in nature.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia respectfully requests the Virginia Department of Transportation to conduct a speed study on Turnberry Road (SR 1097) to determine the feasibility of posting 25 m.p.h. speed limit signs on said road.

The vote on the foregoing resolution was follows:

AYE

Mary W. Biggs

Doug Marrs

Annette S. Perkins

Steve L. Spradlin

Gary D. Creed

James D. Politis

NAY

None

INTO CLOSED MEETING

On a motion by Gary D. Creed, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711 (1) Discussion , Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body

1. Office on Youth Advisory Board
2. Montgomery-Floyd Regional Library Board (2 Appts)

- (3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiation Strategy of the Public Body

1. Request for Right-of-Way - Huckleberry Trail

- (1) Consultation With Legal Counsel and Briefings by Staff Members or Consultants Pertaining to Actual or Probable Litigation, Where Such Consultation or Briefing in Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body

1. Courthouse
2. Crozier Court Subdivision

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Doug Marrs	
Steve L. Spradlin	
Annette S. Perkins	
Gary D. Creed	
John A. Muffo	
James D. Politis	

OUT OF CLOSED MEETING

On a motion by Gary D. Creed, seconded by Steve L. Spradlin and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

AYE

Mary W. Biggs

Doug Marrs

Steve L. Spradlin

Annette S. Perkins

Gary D. Creed

John A. Muffo

James D. Politis

NAY

None

CERTIFICATION OF CLOSED MEETING

On a motion by John A. Muffo, seconded by Annette S. Perkins and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

Mary W. Biggs

Doug Marrs

Steve L. Spradlin

Annette S. Perkins

Gary D. Creed

John A. Muffo

James D. Politis

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NAYS

None

ABSENT DURING VOTE

None

ABSENT DURING MEETING

None

EXTEND MEETING

On a motion by Steve L. Spradlin, seconded by Annette S. Perkins and carried unanimously, the Board extended the meeting for 15 minutes in order to complete the business listed on the agenda.

The vote on the foregoing motion was as follows:

AYE

Mary W. Biggs

Doug Marrs

Steve L. Spradlin

Annette S. Perkins

Gary D. Creed

John A. Muffo

James D. Politis

NAY

None

INTO CLOSED MEETING

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711

- (7) Consultation With Legal Counsel and Briefings by Staff Members or Consultants Pertaining to Actual or Probable Litigation, Where

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Such Consultation or Briefing in Open Meeting Would Adversely
Affect the Negotiating or Litigating Posture of the Public Body

1. Courthouse
2. Crozier Court Subdivision

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Doug Marrs	
Steve L. Spradlin	
Annette S. Perkins	
Gary D. Creed	
John A. Muffo	
James D. Politis	

OUT OF CLOSED MEETING

On a motion by Steve L. Spradlin, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Doug Marrs	
Steve L. Spradlin	
Annette S. Perkins	
Gary D. Creed	
John A. Muffo	
James D. Politis	

CERTIFICATION OF CLOSED MEETING

On a motion by Annette S. Perkins, seconded by John A. Muffo and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

Mary W. Biggs
Doug Marrs
Steve L. Spradlin
Annette S. Perkins
Gary D. Creed
John A. Muffo
James D. Politis

NAYS

None

ABSENT DURING VOTE

None

ABSENT DURING MEETING

None

APPOINTMENTS

Office on Youth Board

On a motion by Mary W. Biggs, seconded by Gary D. Creed and carried unanimously, the Board of

Supervisors authorizes the County Administrator to re-advertise for the Office on Youth Board.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Doug Marrs	
Steve L. Spradlin	
Annette S. Perkins	
Gary D. Creed	
John A. Muffo	
James D. Politis	

MONTGOMERY-FLOYD REGIONAL LIBRARY BOARD

On a motion by Mary W. Biggs, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **Ann H. Carter** to the Montgomery-Floyd Regional Library Board effective July 1, 2004 and expiring June 30, 2008.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Gary D. Creed	
John A. Muffo	
Steve L. Spradlin	
Doug Marrs	
Annette S. Perkins	
James D. Politis	

MONTGOMERY-FLOYD REGIONAL LIBRARY BOARD

On a motion by Mary W. Biggs, seconded by Gary D. Creed and carried unanimously,

Be IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **Andrew J. Morikawa** to the Montgomery-Floyd Regional Library Board effective July 1, 2004 and expiring June 30, 2008.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Gary D. Creed	
John A. Muffo	
Steve L. Spradlin	
Doug Marrs	
Annette S. Perkins	
James D. Politis	

ADJOURNMENT

On a motion by John A. Muffo, seconded by Mary W. Biggs and carried unanimously, the Board adjourned to Monday, June 28, 2004 at 7:15 p.m.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
John A. Muffo	None
Gary D. Creed	
Annette S. Perkins	
Steve L. Spradlin	
Doug Marrs	
Mary W. Biggs	
James D. Politis	

The meeting adjourned at 11:53 p.m.